

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

MICHAEL GREGORY and FRAN GREGORY

PLAINTIFFS

v.

Civil Action No. 1:23-cv-239-HSO-BWR

PINNACLE CLIMATE TECHNOLOGIES, INC.
d/b/a MASTER INDUSTRIAL PRODUCTS,
CAVAGNA NORTH AMERICA, INC., and
AMERIGAS PROPANE, L.P.

DEFENDANTS

**DEFENDANT AMERIGAS PROPANE, L.P.'S RULE 12(c) MOTION FOR DISMISSAL
OF IT AND JUDGMENT IN ITS FAVOR ON PLAINTIFFS' THIRD AMENDED
COMPLAINT**

Defendant AmeriGas Propane, L.P. moves for dismissal of it and judgment in its favor as to Plaintiffs' Third Amended Complaint [ECF No. 21] pursuant to Federal Rule of Civil Procedure 12(c). Consistent with Local Uniform Civil Rule 7(b)(4), the contemporaneously filed memorandum in support explains in detail the bases for the requested relief.

For the reasons articulated in the memorandum, AmeriGas respectfully requests the Court dismiss it and enter judgment in its favor on Plaintiffs' pleading against it and the claims contained therein, certify the order as a final judgment pursuant to Federal Rule of Civil Procedure 54(b), and for any other relief as may be just.

Respectfully submitted, this the 27th day of September, 2024.

/s/Fredrick B. Feeney, II

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CERTIFICATE OF SERVICE

I, Fredrick B. Feeney, II, of the law firm of Franke & Salloum, PLLC, do hereby certify that I have this day electronically filed the above and foregoing Defendant Amerigas Propane, L.P.'s Rule 12(c) Motion For Dismissal Of It And Judgment In Its Favor On Plaintiffs' Third Amended Complaint using the CM/ECF system which sent notification of such filing to the following:

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THIS, the 27th day of September, 2024.

/s/Fredrick B. Feeney, II
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